

REMARKS

By the present response, Applicant has amended claims 1, 7, 13 and 17 to further clarify the invention. Claims 1-26 remain pending in this application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

In the Office Action, claims 1-14, 17-18 and 21-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,560,442 (Yost et al.) in view of U.S. Patent No. 6,567,381 (Jeon et al.). Claims 15, 16, 19 and 20 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable subject matter

Applicants thank the Examiner for indicating that claims 15, 16, 19 and 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

35 U.S.C. § 103 Rejections

Claims 1-14, 17, 18 and 21-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yost et al. in view of Jeon et al. Applicants respectfully traverse these rejections.

Yost et al. discloses a method for locating concentration of mobile radio (MR) traffic in a coverage area by identifying the locations where MRs in the coverage area are actively making

calls. Signal strength measurements at test sites of interest within the coverage area are made and compared with signal strength measurements taken from operating MRs. A plot of matches can be kept and used to traffic the location within the coverage area revealing where concentrations in the coverage area exist.

Jeon et al. discloses automatically measuring parameter data relating to wireless network environment in a CDMA system. If a server's telephone number is detected from power-on registration data stored in a storage device, then a connection with the server is attempted through a mobile station with a data service function using the server's telephone number. Thereafter, if there is test plan program data from the server after the connection is made, the parameter data is measured using another mobile station with a diagnostic monitor function based on the test plan program data. The measured parameter data is then collected and parsed to obtain sets of measured parameter data, each set having a different kind of measured data; and, finally, the sets of measured parameter data are transmitted to the server using the mobile station with the data service function when there is a data transmission request from the server.

Regarding claims 1, 7, 10, 13, 17, and 21, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of these claims of, *inter alia*, virtually changing parameters of a mobile station required for a registration at a base station so that the mobile station excludes the base station registration and directly enters a test state in an idle mode, or testing a performance of the mobile station in the idle mode test state. The Examiner asserts that Yost et

al. discloses a method of testing performance of a mobile station that includes virtually changing parameters required for a registration at a base station, by reference characters 12A-12C and 26A-26B of Figure 2, col. 4, lines 42-50, col. 5, lines 43-54 and col. 7, lines 12-44. However, these portions merely disclose mobile radios, base transceiver stations, that a master switching center is the central component of the network system and handles functionality such as subscriber registration, authentication, location updating, handovers, and call routing, that a set of prior measurements of the signal strengths of each BTS must be made at a plurality of positions at or near those for which the MR traffic concentrations is desired, and details regarding the calibration phase of the profiling method of Yost et al. illustrated in Figure 4 that includes taking additional measurements, determining if conditions have changed, averaging signal strength measurements, determining standard signal strength and recording fluctuations. These portions do not disclose or suggest anything related to virtually changing parameters of a mobile station required for registration at a base station, as recited in the claims of the present application. Yost et al. merely discloses taking signal strength measurements at test sites to be used to traffic the locations where concentrations in the coverage area exist. Yost does not disclose or suggest anything related to virtually changing parameters of a mobile station. Moreover, Yost et al. does not disclose or suggest anything related to excluding the registration of a mobile station and the mobile station directly entering a test state in an idle mode. These limitations are neither disclosed nor suggested by Yost et al. nor Jeon.

The Examiner admits that Yost et al. does not disclose or suggest testing a performance of the mobile station in the idle mode test state, but asserts that Jeon et al. discloses these limitations. In this regard, the Examiner cites disclosure from Jeon as noted previously and also cites col. 2, lines 23 –col. 3, line 6, col. 5, lines 19-41, col. 6, lines 3-50, col. 7, line 55-col. 8, line 27. However, Jeon et al. merely relates to measuring parameter data relating to a wireless network environment. Jeon discloses performing these measurements in order to evaluate the performance of a base station using the measured parameter data (see col. 3, lines 41-45). This is not testing a performance of the mobile station in the idle mode test state, as recited in the claims of the present application. Jeon et al. is merely directed to automating the performance evaluation of a base station using a mobile device to measure parameter data relating to wireless network environments within a service coverage area of the base station (see col. 1, lines 14-24, col. 2, line 10-col. 3, line 6).

Regarding claims 2-6, 8, 9, 11, 12, 14, 18, and 22-26, Applicants submit that these claims are dependent on one of independent claims 1, 7, 10, 13, 17, and 21 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 1-26 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-26 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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